

**REMARKS**

Upon entry of the present response, claims 8 and 10 will have been amended while claims 9, 11, 20, and 22 will have been canceled without prejudice or disclaimer of the subject matter. Additionally, claim 24 will have been submitted for consideration by the Examiner.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of each outstanding objection and rejection, together with an indication of the allowability of all of the claims pending in the present application. Such action is now believed to be appropriate and proper and is thus respectfully requested, in due course.

Applicant respectfully thanks the Examiner for explicitly indicating her acceptance of the drawings filed in the present application on September 16, 2005.

Applicant additionally respectfully thanks the Examiner for acknowledging his claim for foreign priority under 35 USC 119, as well as for confirming that the certified copy of the priority document, upon which the above noted claim for foreign priority is based, has been received from the International Bureau.

Furthermore, Applicant respectfully thanks the Examiner for explicitly indicating her consideration of the documents cited in the Information Disclosure Statement filed in the present application on December 16, 2005 by returning an appropriately annotated copy of the PTO-1449 form that was attached to the above noted Information Disclosure Statement.

In the outstanding official action, the Examiner objected to claims 8-10 because of a language informality. By the present response, Applicant has amended the language of claims 8 and 10 to eliminate the above noted language informality. Additionally, the Examiner is respectfully thanked for bringing this matter to Applicant's invention so that it could be

eliminated. In view of the above, Applicant respectfully requests withdrawal of the objection to claims 8-10.

In the outstanding official action, the Examiner rejected claims 9, 11, 20 and 22 under 35 USC 101. The Examiner asserted that the claimed invention is directed to non-statutory subject matter. In particular, the Examiner asserted that these claims present a program of instructions which is considered to be a data structure that does not define any functional interrelationships with the other claimed aspects of the invention which permit the data structure's functionality to be realized.

Without in any manner acquiescing in the propriety of the Examiner's rejection, Applicant has canceled, without prejudice or disclaimer of the subject matter, each of the above noted claims. Accordingly, at least for this reason, it is respectfully submitted that the Examiner's rejection of these claims has been rendered moot.

In the outstanding official action, the Examiner indicated that claims 1-7, 12-19, 21 and 23 are allowed. The Examiner additionally indicated that claims 8 and 10 would be allowable upon correction of the formal matters listed above.

Applicant notes the Examiner's indication of allowable subject matter with appreciation and with obvious acquiescence.

In addition, Applicant notes the Examiner's statement of reasons for the indication of allowable subject matter with respect to each of the independent claim groups in the present application. In this regard, while Applicant does not disagree with the various features of the respective claims identified by the Examiner, Applicant additionally wishes to point out that each of the claims in the present application recites a particular combination of features and that the patentability of each specific claim is also based on the particular combination of features recited

therein. Accordingly, the reasons for the indication of allowable subject matter should not be limited to those features enumerated by the Examiner in the statement of reasons.

By the present response, Applicant has submitted new claim 24 for consideration by the Examiner. This claim is submitted to be patentable over the prior art of record herein. In this regard, Applicant notes that claim 24 contains a combination of features related to those recited in claim 8. However, claim 24 does not recite "step" terminology. Accordingly, consideration of claim 24, together with an indication of the allowability thereof is respectfully requested, in due course.

In view of the herein contained amendments and remarks, Applicant respectfully requests passage of the present application to issue.

**SUMMARY AND CONCLUSION**

Applicant has made a sincere effort to place the present application into condition for allowance and believes that he has now done so. Applicant has eliminated the basis for the Examiner's objection to the language of several claims. Additionally, Applicant has canceled, without prejudice or disclaimer of the subject matter, each of the claims rejected by the Examiner. Applicant has additionally responded to the Examiner's statement of reasons for the indication of allowable subject matter

Accordingly, Applicant has provided a clear and convincing evidentiary basis supporting the patentability of all of the claims presently pending in the instant application and respectfully requests an indication to such effect, in due course.

Further, Applicant has submitted a new independent claim for consideration by the Examiner, and with respect to this claim, has set forth a basis for the patentability thereof.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

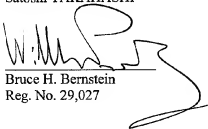
Should an extension of time be necessary to maintain the pendency of this application, including any extensions of time required to place the application in condition for allowance by an Examiner's Amendment, the Commissioner is hereby authorized to charge any additional fee to Deposit Account No. 19-0089.

P28448.A03

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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Respectfully submitted,  
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